

Subpart C—Cable Franchise Applications

§ 76.41 Franchise application process.

(a) Definition. *Competitive franchise applicant.* For the purpose of this section, an applicant for a cable franchise in an area currently served by another cable operator or cable operators in accordance with 47 U.S.C. 541(a)(1).

(b) A competitive franchise applicant must include the following information in writing in its franchise application, in addition to any information required by applicable State and local laws:

- (1) The applicant's name;
- (2) The names of the applicant's officers and directors;
- (3) The business address of the applicant;
- (4) The name and contact information of a designated contact for the applicant;
- (5) A description of the geographic area that the applicant proposes to serve;
- (6) The PEG channel capacity and capital support proposed by the applicant;
- (7) The term of the agreement proposed by the applicant;
- (8) Whether the applicant holds an existing authorization to access the public rights-of-way in the subject franchise service area as described under paragraph (b)(5) of this section;
- (9) The amount of the franchise fee the applicant offers to pay; and
- (10) Any additional information required by applicable State or local laws.

(c) A franchising authority may not require a competitive franchise applicant to negotiate or engage in any regulatory or administrative processes prior to the filing of the application.

(d) When a competitive franchise applicant files a franchise application with a franchising authority and the applicant has existing authority to access public rights-of-way in the geographic area that the applicant proposes to serve, the franchising authority must grant or deny the application within 90 days of the date the application is received by the franchising authority. If a competitive franchise applicant does not have existing authority to access public rights-of-way in

the geographic area that the applicant proposes to serve, the franchising authority must grant or deny the application within 180 days of the date the application is received by the franchising authority. A franchising authority and a competitive franchise applicant may agree in writing to extend the 90-day or 180-day deadline, whichever is applicable.

(e) If a franchising authority does not grant or deny an application within the time limit specified in paragraph (d) of this section, the competitive franchise applicant will be authorized to offer service pursuant to an interim franchise in accordance with the terms of the application submitted under paragraph (b) of this section.

(f) If after expiration of the time limit specified in paragraph (d) of this section a franchising authority denies an application, the competitive franchise applicant must discontinue operating under the interim franchise specified in paragraph (e) of this section unless the franchising authority provides consent for the interim franchise to continue for a limited period of time, such as during the period when judicial review of the franchising authority's decision is pending. The competitive franchise applicant may seek judicial review of the denial under 47 U.S.C. 555.

(g) If after expiration of the time limit specified in paragraph (d) of this section a franchising authority and a competitive franchise applicant agree on the terms of a franchise, upon the effective date of that franchise, that franchise will govern and the interim franchise will expire.

[72 FR 13215, Mar. 21, 2007]

Subpart D—Carriage of Television Broadcast Signals

§ 76.51 Major television markets.

For purposes of the cable television rules, the following is a list of the major television markets and their designated communities:

- (a) First 50 major television markets:
 - (1) New York, New York-Linden-Paterson-Newark, New Jersey.
 - (2) Los Angeles-San Bernardino-Corona-Riverside-Anaheim, Calif.

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- (3) Chicago, Ill.
- (4) Philadelphia, Pa.-Burlington, N.J.
- (5) Detroit, Mich.
- (6) Boston-Cambridge-Worcester-Lawrence, Mass.
- (7) San Francisco-Oakland-San Jose, Calif.
- (8) Cleveland-Lorain-Akron, Ohio.
- (9) Washington, DC.
- (10) Pittsburgh, Pa.
- (11) St. Louis, Mo.
- (12) Dallas-Fort Worth, Tex.
- (13) Minneapolis-St. Paul, Minn.
- (14) Baltimore, Md.
- (15) Houston, Tex.
- (16) Indianapolis-Bloomington, Ind.
- (17) Cincinnati, Ohio-Newport, Ky.
- (18) Atlanta-Rome, Ga.
- (19) Hartford-New Haven-New Britain-Waterbury-New London, Ct.
- (20) Seattle-Tacoma, Wash.
- (21) Miami, Fla.
- (22) Kansas City, Mo.
- (23) Milwaukee, Wis.
- (24) Buffalo, N.Y.
- (25) Sacramento-Stockton-Modesto, Calif.
- (26) Memphis, Tenn.
- (27) Columbus-Chillicothe, Ohio.
- (28) Tampa-St. Petersburg-Clearwater, Florida.
- (29) Portland, Oreg.
- (30) Nashville, Tenn.
- (31) New Orleans, La.
- (32) Denver-Castle Rock, Colorado.
- (33) Providence, R.I.-New Bedford, Mass.
- (34) Albany-Schenectady-Troy, N.Y.
- (35) Syracuse, N.Y.
- (36) Charleston-Huntington, W. Va.
- (37) Kalamazoo-Grand Rapids-Battle Creek, Mich.
- (38) Louisville, Ky.
- (39) Oklahoma City, Okla.
- (40) Birmingham, Ala.
- (41) Dayton-Kettering, Ohio.
- (42) Charlotte, N.C.
- (43) Phoenix-Mesa, Ariz.
- (44) Norfolk-Newport News-Portsmouth-Hampton, Va.
- (45) San Antonio, Tex.
- (46) Greenville-Spartanburg-Anderson, S.C.-Asheville, N.C.
- (47) Greensboro-High Point-Winston Salem, N.C.
- (48) Salt Lake City, Utah.
- (49) Wilkes Barre-Scranton, Pa.
- (50) Little Rock-Pine Bluff, Arkansas.

- (b) Second 50 major television markets:
 - (51) San Diego, Calif.
 - (52) Toledo, Ohio.
 - (53) Omaha, Nebr.
 - (54) Tulsa, Okla.
 - (55) Orlando-Daytona Beach-Melbourne-Cocoa-Clermont, Florida.
 - (56) Rochester, N.Y.
 - (57) Harrisburg-Lancaster-York, Pa.
 - (58) Texarkana, Tex.-Shreveport, La.
 - (59) Mobile, Ala.-Pensacola, Fla.
 - (60) Davenport, Iowa-Rock Island-Moline, Ill.
 - (61) Flint-Bay City-Saginaw, Mich.
 - (62) Green Bay, Wis.
 - (63) Richmond-Petersburg, Va.
 - (64) Springfield-Decatur-Champaign, Illinois.
 - (65) Cedar Rapids-Waterloo, Iowa.
 - (66) Des Moines-Ames, Iowa.
 - (67) Wichita-Hutchinson, Kans.
 - (68) Jacksonville, Fla.
 - (69) Cape Girardeau, Mo.-Paducah, Ky.-Harrisburg, Ill.
 - (70) Roanoke-Lynchburg, Va.
 - (71) Knoxville, Tenn.
 - (72) Fresno-Visalia-Hanford-Clovis-Merced-Porterville, California.
 - (73) Raleigh-Durham-Goldsboro-Fayetteville, North Carolina.
 - (74) Johnstown-Altoona, Pa.
 - (75) Portland-Poland Spring, Maine.
 - (76) Spokane, Wash.
 - (77) Jackson, Miss.
 - (78) Chattanooga, Tenn.
 - (79) Youngstown, Ohio.
 - (80) South Bend-Elkhart, Ind.
 - (81) Albuquerque, N. Mex.
 - (82) Fort Wayne-Roanoke, Ind.
 - (83) Peoria, Ill.
 - (84) Greenville-Washington-New Bern, N.C.
 - (85) Sioux Falls-Mitchell, S. Dak.
 - (86) Evansville, Ind.
 - (87) Baton Rouge, La.
 - (88) Beaumont-Port Arthur, Tex.
 - (89) Duluth, Minn.-Superior, Minn.
 - (90) Wheeling, W. Va.-Steubenville, Ohio.
 - (91) Lincoln-Hastings-Kearney, Nebr.
 - (92) Lansing-Onondaga, Mich.
 - (93) Madison, Wis.
 - (94) Columbus, Ga.
 - (95) Amarillo, Tex.
 - (96) Huntsville-Decatur, Ala.
 - (97) Rockford-Freepport, Ill.
 - (98) Fargo-Valley City, N.D.
 - (99) Monroe, La.-El Dorado, Ark.

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(100) Columbia, S.C.

NOTE: Requests for changes to this list shall be made in the form of a petition for rulemaking pursuant to §1.401 of this chapter, except that such petitions shall not be subject to the public notice provisions of §1.403 of this chapter.

[37 FR 3278, Feb. 12, 1972, as amended at 37 FR 13866, July 14, 1972; 39 FR 24373, July 2, 1974; 39 FR 27572, July 30, 1974; 39 FR 37988, Oct. 25, 1974; 58 FR 17359, Apr. 2, 1993; 58 FR 30995, May 28, 1993; 58 FR 64168, Dec. 6, 1993; 58 FR 67694, Dec. 22, 1993; 59 FR 25344, May 16, 1994; 59 FR 46358, Sept. 8, 1994; 60 FR 45376, Aug. 31, 1995; 60 FR 51928, Oct. 4, 1995; 61 FR 18292, Apr. 25, 1996; 65 FR 68101, Nov. 14, 2000; 69 FR 3270, Jan. 23, 2004]

§ 76.53 Reference points.

The following list of reference points shall be used to identify the boundaries of the major and smaller television markets (defined in §76.5). Where a community's reference point is not given, the geographic coordinates of the main post office in the community shall be used.

State and community	Latitude	Longitude
Alabama:		
Anniston	33°39'49"	85°49'47"
Birmingham	33°31'01"	86°48'36"
Decatur	34°36'35"	86°58'45"
Demopolis	32°30'56"	87°50'07"
Dothan	31°13'27"	85°23'35"
Dozier	31°29'30"	86°21'59"
Florence	34°48'05"	87°40'31"
Huntsville	34°44'18"	86°35'19"
Louisville	31°47'00"	85°33'09"
Mobile	30°41'36"	88°02'33"
Montgomery	32°22'33"	86°18'31"
Mount Cheaha State Park	33°29'26"	85°48'30"
Selma	24°24'26"	87°01'15"
Tuscaloosa	33°12'05"	87°33'44"
Alaska:		
Anchorage	61°13'09"	149°53'29"
College	64°51'22"	147°48'38"
Fairbanks	64°50'35"	147°41'51"
Juneau	58°18'06"	134°25'09"
Sitka	57°02'58"	135°20'12"
Arizona:		
Flagstaff	35°11'54"	111°39'02"
Mesa	33°24'54"	111°49'41"
Nogales	31°20'14"	110°56'12"
Phoenix	33°27'12"	112°04'28"
Tucson	32°13'15"	110°58'08"
Yuma	32°43'16"	114°37'01"
Arkansas:		
El Dorado	33°12'39"	92°39'40"
Fayetteville	36°03'41"	94°09'38"
Fort Smith	35°23'10"	94°25'36"
Jonesboro	35°50'14"	90°42'11"
Little Rock	34°44'42"	92°16'37"
California:		
Bakersfield	35°22'31"	119°01'16"
Chico	39°44'07"	121°49'57"
Concord	37°58'46"	122°01'51"
Corona	33°52'35"	117°33'56"
El Centro	32°47'25"	115°32'45"

State and community	Latitude	Longitude
Eureka	40°48'08"	124°09'46"
Fontana	34°05'45"	117°26'29"
Fresno	36°44'12"	119°47'11"
Guasti	34°03'48"	117°35'10"
Hanford	36°19'51"	119°38'48"
Los Angeles	34°03'15"	118°14'28"
Modesto	37°38'26"	120°59'44"
Monterey	36°35'44"	121°53'39"
Oakland	37°48'03"	122°15'54"
Palm Springs	33°49'22"	116°32'46"
Redding	40°34'57"	122°23'34"
Sacramento	38°34'57"	121°29'41"
Salinas	36°40'24"	121°39'25"
San Bernardino	34°06'30"	117°17'28"
San Diego	32°42'53"	117°09'21"
San Francisco	37°46'39"	122°24'40"
San Jose	37°20'16"	121°53'24"
San Luis Obispo	35°16'49"	120°39'34"
San Mateo	37°34'08"	122°19'16"
Santa Barbara	34°25'18"	119°41'55"
Santa Maria	34°57'02"	120°26'10"
Stockton	37°57'30"	121°17'16"
Tulare	36°12'31"	119°20'35"
Ventura	34°16'47"	119°17'22"
Visalia	36°19'46"	119°17'30"
Colorado:		
Colorado Springs	38°50'07"	104°49'16"
Denver	39°44'58"	104°59'22"
Durango	37°16'29"	107°52'25"
Grand Junction	39°04'06"	108°33'54"
Montrose	38°28'44"	107°52'31"
Pueblo	38°16'17"	104°36'33"
Sterling	40°37'29"	103°12'25"
Connecticut:		
Bridgeport	41°10'49"	73°11'22"
Hartford	41°46'12"	72°40'49"
New Britain	41°40'02"	72°47'08"
New Haven	41°18'25"	72°55'30"
Norwich	41°31'36"	72°04'31"
Waterbury	41°33'13"	73°02'31"
Delaware:		
Wilmington	39°44'46"	75°32'51"
District of Columbia:		
Washington	38°53'51"	77°00'33"
Florida:		
Clearwater	27°57'56"	82°47'51"
Daytona Beach	29°12'44"	81°01'10"
Fort Lauderdale	26°07'11"	80°08'34"
Fort Myers	26°38'42"	81°52'06"
Fort Pierce	27°26'48"	80°19'38"
Gainesville	29°38'56"	82°19'19"
Jacksonville	30°19'44"	81°39'42"
Largo	27°54'54"	82°47'32"
Leesburg	28°48'43"	81°52'30"
Melbourne	28°04'41"	80°36'29"
Miami	25°46'37"	80°11'32"
Ocala	29°11'34"	82°08'14"
Orlando	28°32'42"	81°22'38"
Panama City	30°09'24"	85°39'47"
Pensacola	30°24'51"	87°12'56"
St. Petersburg	27°46'18"	82°38'16"
Sarasota	27°20'05"	82°32'29"
Tallahassee	30°26'30"	84°16'50"
Tampa	27°56'58"	82°27'26"
West Palm Beach	26°42'36"	80°03'05"
Georgia:		
Albany	31°34'36"	84°09'22"
Athens	33°57'34"	83°22'39"
Atlanta	33°45'10"	84°23'37"
Augusta	33°28'20"	81°58'00"
Chatsworth	34°46'08"	84°46'10"
Cochran	32°23'18"	83°21'18"
Columbus	32°28'07"	84°59'24"
Dawson	31°46'33"	84°26'20"